

*in presence of*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHAEL RUBIN, Individually and On Behalf of :  
All Others Similarly Situated, :

Plaintiff, :

vs. :

MF GLOBAL, LTD., MAN GROUP PLC, KEVIN :  
R. DAVIS, AMY S. BUTTE, ALISON J. :  
CARNWATH, CHRISTOPHER J. SMITH, :  
CHRISTOPHER BATES, HENRI J. :  
STEENKAMP and EDWARD L. GOLDBERG, :

Defendants. :

<b>USDS SDNY</b> <b>DOCUMENT</b> <b>ELECTRONICALLY FILED</b> DOC #: _____ DATE FILED: <i>3-26-08</i>
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Civil Action No. 1:08-cv-02233 (VM)

STIPULATION AND ORDER

ECF Case

**STIPULATION AND ORDER ADJOURNING THE TIME FOR  
THE MF GLOBAL DEFENDANTS TO ANSWER, MOVE TO  
DISMISS OR OTHERWISE RESPOND TO THE COMPLAINT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel, that plaintiff shall have until 60 days after the entry of an order appointing lead plaintiff and approving lead counsel pursuant to 15 U.S.C. § 77z-1(a)(3) to file an amended complaint, and that the time of defendants MF Global, Ltd., Kevin R. Davis, Amy S. Butte, Alison J. Carnwath, Christopher J. Smith, Christopher Bates, Henri J. Steenkamp, and Edward L. Goldberg (the "MF Global defendants") to answer, move to dismiss or otherwise respond to the Complaint shall be extended to 60 days after the filing of such amended complaint. Plaintiff will have 60 days after the MF Global defendants file any motion to dismiss to file any response, and the MF Global defendants will have 45 days thereafter to file any reply.

IT IS FURTHER ACKNOWLEDGED THAT, as 15 U.S.C. § 77z-1(b)(1) provides, all discovery, including initial disclosures pursuant to Fed. R. Civ. P. 26(a), shall be

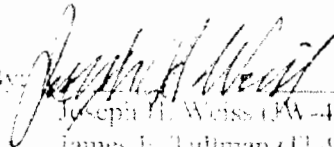
stayed through the pendency of the motion to dismiss, unless the court finds upon the motion of any party that particularized discovery is necessary to preserve evidence or to prevent undue prejudice to that party.

THE MF GLOBAL DEFENDANTS ACKNOWLEDGE, without waiver of any arguments or defenses, including defenses related to personal jurisdiction, receipt of a copy of the Complaint in this action as of the date the Court “so orders” and enters this Stipulation, and agree to save the cost of service of a summons and an additional copy of the Complaint in this lawsuit by not requiring service of judicial process in the manner provided for by Fed. R. Civ. P. 4.

IT IS FURTHER STIPULATED AND AGREED THAT nothing herein shall be deemed to constitute a waiver of, and the MF Global defendants do not waive and expressly preserve, all arguments and defenses in the above-captioned action, including defenses related to personal jurisdiction.

Dated: New York, New York  
March 28, 2008

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Goldberg*

SO ORDERED

  
**Victor Marrero**  
United States District Judge

Dated: New York, New York  
26 March, 2008